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JUL 22 2024

RICHARD W. NAGEL, CLERK OF COURT  
COLUMBUS, OHIO

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
\_\_\_\_\_ DIVISION

Damien Howard Ponder  
(Enter Above the Name of the Plaintiff in this Action)

VS.

Kisha Orsini  
(Enter above the name of the Defendant in this Action)

If there are additional Defendants, please list them:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2:24 CV 3742

JUDGE MARBLEY

MAGISTRATE JUDGE JOLSON

**COMPLAINT**

**I. Parties to the action:**

Plaintiff: Place your name and address on the lines below. The address you give must be the address where the court may contact you and mail documents to you. A telephone number is required.

Damien Howard Ponder  
Name - Full Name Please - PRINT  
1047 Linwood Ave.  
Street Address  
Columbus, OH 43206  
City, State and Zip Code  
614-817-4623  
Telephone Number

If there are additional Plaintiffs in this suit, a separate piece of paper should be attached immediately behind this page with their full names, addresses and telephone numbers. If there are no other Plaintiffs, continue with this form.

Defendant(s):

Place the name and address of each Defendant you listed in the caption on the first page of this Complaint. This form is invalid unless each Defendant appears with full address for proper service.

1. Kisha Orsini  
Name - Full Name Please  
120 MARCONI BOULEVARD COLUMBUS, OH 43215  
Address: Street, City, State and Zip Code
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_

If there are additional Defendants, please list their names and addresses on a separate sheet of paper.

## II. Subject Matter Jurisdiction

Check the box or boxes that describes your lawsuit:

- ☒ Title 28 U.S.C. § 1343(3)  
[A civil rights lawsuit alleging that Defendant(s) acting under color of State law, deprived you of a right secured by federal law or the Constitution.]
- ☒ Title 28 U.S.C. § 1331  
[A lawsuit "arising under the Constitution, laws, or treaties of the United States."]
- ☐ Title 28 U.S.C. § 1332(a)(1)  
[A lawsuit between citizens of different states where the matter in controversy exceeds \$75,000.]
- ☒ Title 18 United States Code, Section 1918, 3 USC 7311 (1)  
[Other federal status giving the court subject matter jurisdiction.]

Number each claim separately. Use as much space as you need. You are not limited to the papers we give you. Attach extra sheets that deal with your statement claim immediately behind this piece of paper.

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

On 02.12.2022 at 11:44 pm, Officer Kisha Orsini, BADGE/IBM #2948, unlawfully search, seizure of my property, and arrested of I, Damien Howard Ponder. Due to this unlawful arrest, my 4<sup>th</sup> and 6<sup>th</sup> Amendment Rights and Civil Rights were violated under the color of law. The officers involved had no probable cause to search me, seize any of my property, nor to arrest me. Due to the officers' unlawful actions an INCIDENT REPORT #220103456 was created by COLMBUS POLICE DEPARTMENT. Also, in connections to the incident report a Court Case #220103456 was created by THE COURT OF COMMON PLEAS, FRANKLIN COUNTY, OHIO CRIMINAL DIVISION. This Court Case #22-CR-00913 was dismissed due to Constitutional and Civil Rights violations on 05/05/2023. The officers involved have lost their qualified immunity for violating their oath to uphold and protect the Constitution and for violating my rights under the color of law.

Here is a list of other violations that occurred:

- (1) 18 USC 242: Color of Law
  - (2) 42 USC 1983: Deprivation of Rights
  - (3) 18 USC 241: Conspiracy against Rights
  - (4) 4<sup>th</sup> Amendment rights violation by using excessive force
  - (5) 2<sup>nd</sup> Amendment Rights violation: the rights to bear arms
  - (6) 18 USC section 1201: Kidnapping
  - (7) 18 USC 1985: Conspiracy to interfere with Civil Rights
  - (8) 18 USC 1918 and 5 USC 7311 (1): violation of oath of office
- 

#### PERSONAL INJURY

Wrist spang; due to officers slamming me to the ground using excessive force.

Depression: I lost both of my jobs from being arrested and not being able to go to work.

Anxiety: I'm scared anytime I have contact with Police Officers

PTS: due to officers pulling guns on me and saying they would shoot me.

Loss of wages: Over \$80k Of income in the past 2 years.

#### PERSONAL PROPERTY

Cellphone: Had to replace phone due to damage from officers' conduct. \$800 to replace the phone and the original cost of the phone that was damaged, \$1,200. A total of \$2,000 before taxes.

